

Nicholas Ranallo, Attorney at Law (SBN 275016)  
2443 Fillmore St., #380-7508  
San Francisco, CA 94115-1814  
[nick@ranallolawoffice.com](mailto:nick@ranallolawoffice.com)  
P: (831) 607-9229  
F: (831) 533-5073

Todd Y. Brandt (TX SB # 24027051) (*pro hac vice* pending)  
BRANDT LAW FIRM  
222 North Fredonia St.  
Longview, Texas 75601  
Tel: (903) 212-3130  
Fax: (903) 753-6761  
Email: [tbrandt@thebrandtlawfirm.com](mailto:tbrandt@thebrandtlawfirm.com)

*Attorneys for Plaintiff*  
*Secure Cam, LLC*

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

Secure Cam, LLC, a Wyoming Limited Liability Company	)	Case No. _____
	)	
Plaintiff,	)	<b>COMPLAINT FOR</b>
	)	<b>INFRINGEMENT OF</b>
	)	<b>U.S. PATENT NO. 8,531,555</b>
v.	)	<b>U.S. PATENT NO. 8,350,928</b>
	)	<b>U.S. PATENT NO. 8,836,819</b>
Butterfleye, Inc., a Delaware corporation,	)	<b>U.S. PATENT NO. 9,363,408</b>
	)	
Defendant.	)	<b>DEMAND FOR JURY TRIAL</b>
	)	

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff Secure Cam, LLC, ("Secure Cam" or "Plaintiff"), by and through its  
3 undersigned counsel, for its Complaint against Defendant Butterfleye, Inc.  
4 ("Butterfleye" or "Defendant") makes the following allegations. These allegations are  
5 made upon information and belief.

6  
7 **NATURE OF THE ACTION**

8 1. This is an action against Defendant for infringement of one or more claims  
9 of United States Patent No. 8,531,555 (“the ‘555 Patent”), United States Patent No.  
10 8,350,928 (“the ‘928 Patent”), United States Patent No. 8,836,819 (“the ‘819 Patent),  
11 and United States Patent No. 9,363,408 (“the ‘408 Patent).

12  
13 **PARTIES**

14 2. Plaintiff Secure Cam is a limited liability company organized under the  
15 laws of the State of Wyoming and has an office and principal place of business at 30 N  
16 Gould St. STE R, Sheridan, WY 82801.

17 3. Defendant Butterfleye, Inc., is a corporation incorporated under the laws  
18 of Delaware, which has an office and principal place of business at 2191-B El Camino  
19 Real, San Mateo, CA 94403.

20  
21 **JURISDICTION AND VENUE**

22 4. This action arises under the patent laws of the United States, including 35  
23 U.S.C. §§ 271 et seq., 281, and 284.

24 5. This Court has subject matter jurisdiction over this action pursuant to 28  
25 U.S.C. §§ 1331 and 1338(a) because it arises under United States Patent law.

26 6. This Court has personal jurisdiction over the Defendant because, *inter alia*,  
27 it resides in the State of California; regularly conducts business in the State of  
28

1 California; and continues to commit acts of patent infringement in the State of  
2 California including by making, using, offering to sell, and/or selling Accused Products  
3 within the State of California and this district.

4 7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c)  
5 and 1400(b). Defendant is subject to this Court’s personal jurisdiction because, *inter*  
6 *alia*, Defendants have committed and continue to commit acts of patent infringement  
7 including making, using, offering to sell, and/or selling Accused Products in this  
8 district, and/or importing Accused Products into this district; Defendant has a principal  
9 place of business in this judicial district, and Defendant employs personnel in this  
10 judicial district.

11  
12 **FACTS**

13 8. Plaintiff is the owner, by assignment, of U.S. Patent No. 8,531,555 (“the  
14 ‘555 Patent”), entitled “Method and Apparatus for Automatically Categorizing Images  
15 in a Digital Camera,” which was duly and legally issued on September 10<sup>th</sup>, 2013 by  
16 the United States Patent and Trademark Office (“USPTO”).

17 9. A copy of the ‘555 Patent is attached to this Complaint as **Exhibit A**.

18 10. The claims of the ‘555 Patent are valid and enforceable.

19 11. Plaintiff is the owner, by assignment, of U.S. Patent No. 8,350,928 (“the  
20 ‘928 Patent”), entitled “Method and Apparatus for Automatically Categorizing Images  
21 in a Digital Camera,” which was duly and legally issued on January 8<sup>th</sup>, 2013 by the  
22 United States Patent and Trademark Office (“USPTO”).

23 12. A copy of the ‘928 Patent is attached to this Complaint as **Exhibit B**.

24 13. The claims of the ‘928 Patent are valid and enforceable.

25 14. Plaintiff is the owner, by assignment, of U.S. Patent No. 8,836,819 (“the  
26 ‘819 Patent”), entitled “Method and Apparatus for Automatically Categorizing Images  
27  
28

1 in a Digital Camera,” which was duly and legally issued on September 16<sup>th</sup>, 2014 by  
2 the United States Patent and Trademark Office (“USPTO”).

3 15. A copy of the ‘819 Patent is attached to this Complaint as **Exhibit C**.

4 16. The claims of the ‘819 Patent are valid and enforceable.

5 17. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,363,408 (“the  
6 ‘408 Patent”), entitled “Method and Apparatus for Automatically Categorizing Images  
7 in a Digital Camera,” which was duly and legally issued on June 7<sup>th</sup>, 2016 by the United  
8 States Patent and Trademark Office (“USPTO”).

9 18. A copy of the ‘408 Patent is attached to this Complaint as **Exhibit D**.

10 19. The claims of the ‘408 Patent are valid and enforceable.

11  
12 **COUNT I: CLAIM FOR PATENT INFRINGEMENT**

13 **UNDER 35 U.S.C. § 271(a) (‘555 PATENT)**

14  
15 20. Plaintiff hereby incorporates by reference the allegations of paragraphs 1  
16 through 19 of this Complaint as if fully set forth herein.

17 21. Claim 1 of the ‘555 Patent covers “a device, comprising a processing  
18 circuit configured to automatically generate at least one tag for an image captured using  
19 the device in response to analyzing data associated with the image at a time of image  
20 capture, and a memory circuit configured to store the at least one tag with the data to  
21 thereby categorize the image.”

22 22. Defendant manufactures, imports into the United States, offers for sale,  
23 and/or sells security cameras, which infringe at least Claim 1 of the ‘555 Patent  
24 (hereafter “Accused Product(s)").

25 23. Defendant’s Accused Product(s) include, without limitation the  
26 Butterfleye security camera.

1 24. A claim chart comparing Claim 1 of the ‘555 Patent to the Accused  
2 Product(s) is attached as Exhibit E.

3 25. The Accused Product(s) uses facial recognition to identify moving objects,  
4 pets, and persons in the camera’s field of vision. See Exhibit E, p. 1.

5 26. Upon information and belief, the Butterfleye security camera includes a  
6 processor that is configured to capture images and categorize them as persons (versus  
7 animals, for example), a previously identified person and /or an unknown person. See  
8 Exhibit E, p. 2.

9 27. The Accused Product(s) includes internal storage for storing events  
10 including captured images of persons (versus animals, for example), a previously  
11 identified person, and / or an unknown person. See Exhibit E, p. 3.

12 28. Each one of the elements included in the Infringing System, itemized in  
13 paragraphs 25 – 27 above, is an element in Claim 1 of the ‘555 Patent.

14 29. Plaintiff has been, and will continue to be, irreparably harmed by  
15 Defendant’s ongoing infringement of the ‘555 Patent.

16 30. As a direct and proximate result of Defendant’s infringement of the ‘555  
17 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be  
18 determined.

19 **COUNT II: CLAIM FOR PATENT INFRINGEMENT**

20 **UNDER 35 U.S.C. § 271(a) (‘928 PATENT)**

21 31. Plaintiff hereby incorporates by reference the allegations of paragraphs 1  
22 through 19 of this Complaint as if fully set forth herein.

23 32. Claim 1 of the ‘928 Patent covers “a digital camera for automatically  
24 categorizing captured image data, the digital camera comprising a processor within the  
25 digital camera for capturing image data, an analysis module within the digital camera  
26 coupled to the processor and configured to perform image data analysis on the captured  
27 image data at the time of image capture by the digital camera and to automatically  
28

1 generate, responsive to the preformed image data analysis, a category tag for the  
2 captured image data; and a memory for storing the generated category tag in association  
3 with the captured image data for categorizing the captured image data.”

4 33. Defendant manufactures, imports into the United States, offers for sale,  
5 and/or sells security cameras, which infringe at least Claim 1 of the ‘928 Patent  
6 (hereafter “Accused Product(s)”).

7 34. Defendant’s Accused Product(s) include, without limitation the  
8 Butterfleye security camera.

9 35. A claim chart comparing Claim 1 of the ‘928 Patent to the Accused  
10 Product(s) is attached as Exhibit F.

11 36. The Accused Product(s) uses facial recognition technology to identify  
12 moving objects, pets, and persons in the camera’s field of vision. See Exhibit F, p. 1.

13 37. Upon information and belief, the Butterfleye security camera includes a  
14 processor that is configured to capture images. See Exhibit F, p. 2.

15 38. The Accused Product(s) includes a 120 field of view camera where the  
16 processor is configured to capture images and categorize them as persons (versus  
17 animals, for example), a previously identified person and/ or an unknown person. See  
18 Exhibit F, p. 3.

19 39. The Accused Product(s) includes internal storage for storing events  
20 including captured images of persons (versus animals, for example), a previously  
21 identified person and /or an unknown person. See Exhibit F, p. 4.

22 40. Each one of the elements included in the Infringing System, itemized in  
23 paragraphs 36 – 39 above, is an element in Claim 1 of the ‘928 Patent.

24 41. Plaintiff has been, and will continue to be, irreparably harmed by  
25 Defendant’s ongoing infringement of the ‘928 Patent.

26  
27  
28

1 42. As a direct and proximate result of Defendant’s infringement of the ‘928  
2 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be  
3 determined.

4 **COUNT III: CLAIM FOR PATENT INFRINGEMENT**

5 **UNDER 35 U.S.C. § 271(a) (‘819 PATENT)**

6 43. Plaintiff hereby incorporates by reference the allegations of paragraphs 1  
7 through 19 of this Complaint as if fully set forth herein.

8 44. Claim 1 of the ‘819 Patent covers “An apparatus comprising a processing  
9 device configured to detect a predetermined characteristic in an image file in response  
10 to capturing an image, automatically generate at least one category tag for the image  
11 file at a time of capturing the image based at least in part on the predetermined  
12 characteristic, attach the at least one category tag to the image file; and a memory device  
13 configured to store the image file with the attached at least one category tag.”

14 45. Defendant manufactures, imports into the United States, offers for sale,  
15 and/or security cameras, which infringe at least Claim 1 of the ‘819 Patent (hereafter  
16 “Accused Product(s)”).

17 46. Defendant’s Accused Product(s) include, without limitation Butterfleye  
18 security camera.

19 47. A claim chart comparing Claim 1 of the ‘819 Patent to the Accused  
20 Product(s) is attached as Exhibit G.

21 48. The Accused Product(s) uses facial recognition technology to identify  
22 moving objects, pets, and persons in the camera’s field of vision. See Exhibit G, p. 1.

23 49. Upon information and belief, the Butterfleye security camera includes a  
24 processor that is configured to capture images. See Exhibit G, p. 2.

25 50. The Accused Product(s) includes a 120 field of view camera where the  
26 processor is configured to capture images and categorize them as persons (versus  
27  
28

1 animals, for example), a previously identified person and/ or an unknown person. See  
2 Exhibit G, p. 3.

3 51. The Accused Product(s) includes internal storage for storing events  
4 including captured images of persons (versus animals, for example), a previously  
5 identified person and /or an unknown person. See Exhibit G, p. 6.

6 52. Each one of the elements included in the Infringing System, itemized in  
7 paragraphs 48 – 51 above, is an element in Claim 1 of the ‘819 Patent.

8 53. Plaintiff has been, and will continue to be, irreparably harmed by  
9 Defendant’s ongoing infringement of the ‘819 Patent.

10 54. As a direct and proximate result of Defendant’s infringement of the ‘819  
11 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be  
12 determined.

13 **COUNT IV: CLAIM FOR PATENT INFRINGEMENT**

14 **UNDER 35 U.S.C. § 271(a) (‘408 PATENT)**

15 55. Plaintiff hereby incorporates by reference the allegations of paragraphs 1  
16 through 19 of this Complaint as if fully set forth herein.

17 56. Claim 1 of the ‘408 Patent covers “a method comprising automatically  
18 generating, using a first processing device, at least one image category tag based at least  
19 in part on the first processing device analyzing image data associated with an image at  
20 a time of image capture, storing, in a memory device, the at least one image category  
21 tag as part of an image file storing the image; and automatically determining, using the  
22 first processing device or a second processing device, a category for the image based at  
23 least in part on the at least one image category tag.”

24 57. Defendant manufactures, imports into the United States, offers for sale,  
25 and/or sells security cameras, which infringe at least Claim 1 of the ‘408 Patent  
26 (hereafter “Accused Product(s)”).  
27  
28



1 58. Defendant's Accused Product(s) include, without limitation Butterfleye  
2 security camera.

3 59. A claim chart comparing Claim 1 of the '408 Patent to the Accused  
4 Product(s) is attached as Exhibit H.

5 60. The Accused Product(s) uses facial recognition technology to identify  
6 moving objects, pets, and persons in the camera's field of vision. See Exhibit H, p. 1.

7 61. Upon information and belief, the Butterfleye security camera includes a  
8 processor that is configured to capture images. See Exhibit H, p. 2.

9 62. The Accused Product(s) includes a 120 field of view camera where the  
10 processor is configured to capture images and categorize them as persons (versus  
11 animals, for example), a previously identified person and/ or an unknown person. See  
12 Exhibit H, p. 2.

13 63. The Accused Product(s) includes internal storage for storing events  
14 including captured images of persons (versus animals, for example), a previously  
15 identified person and /or an unknown person. See Exhibit H, p. 3.

16 64. Upon information and belief, the Butterfleye security camera includes a  
17 processor that is configured to capture images. See Exhibit H, p.4.

18 65. The Accused Product(s) includes a 120 field of view camera where the  
19 processor is configured to capture images and categorize them as persons (versus  
20 animals, for example), a previously identified person and/ or an unknown person. See  
21 Exhibit H, p. 4.

22 66. Each one of the elements included in the Infringing System, itemized in  
23 paragraphs 61 – 65 above, is an element in Claim 1 of the '408 Patent.

24 67. Plaintiff has been, and will continue to be, irreparably harmed by  
25 Defendant's ongoing infringement of the '408 Patent.

26  
27  
28

1 68. As a direct and proximate result of Defendant's infringement of the '408  
2 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be  
3 determined.

4  
5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff prays for relief against Defendant as follows:

7 A. In favor of Plaintiff that Defendant has infringed one or more claims of  
8 the '555 Patent, either literally or under the doctrine of equivalents;

9 B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and  
10 prejudgment and post-judgment interest for Defendant's infringement of the '555  
11 Patent as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

12 C. For such other and further relief, as may be just and equitable.

13 D. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and  
14 prejudgment and post-judgment interest for Defendant's infringement of the '928 Patent  
15 as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

16 E. For such other and further relief, as may be just and equitable.

17 F. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and  
18 prejudgment and post-judgment interest for Defendant's infringement of the '819 Patent  
19 as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

20 G. For such other and further relief, as may be just and equitable.

21 H. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and  
22 prejudgment and post-judgment interest for Defendant's infringement of the '408 Patent  
23 as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

24 I. For such other and further relief, as may be just and equitable.  
25  
26  
27  
28

**DEMAND FOR TRIAL BY JURY**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury.

Dated: May 2, 2018

Respectfully submitted,

/s/ Nicholas Ranallo  
Nicholas Ranallo, Attorney at Law  
(SBN 275016)  
2443 Fillmore St., #380-7508  
San Francisco, CA 94115-1814  
[nick@ranallolawoffice.com](mailto:nick@ranallolawoffice.com)  
P: (831) 607-9229  
F: (831) 533-5073

Todd Y. Brandt (TX SB # 24027051)  
(*pro hac vice* pending)  
BRANDT LAW FIRM  
222 North Fredonia St.  
Longview, Texas 75601  
Tel: (903) 212-3130  
Fax: (903) 753-6761  
Email: [tbrandt@thebrandtlawfirm.com](mailto:tbrandt@thebrandtlawfirm.com)

*Attorneys for Plaintiff*  
*Secure Cam, LLC*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28